

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christina Vuong	Team: Team # 3	CCRB Case #: 201201647	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 02/06/2012 1:30 PM	Location of Incident: University Avenue and Brandt Place	Precinct: 46	18 Mo. SOL 8/6/2013	EO SOL 8/6/2013	
Date/Time CV Reported Mon, 02/06/2012 3:16 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 02/06/2012 3:16 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Kevin Martin	24921	941068	046 PCT
2. POM Christophe Vaccaro	03957	947671	046 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Kevin Martin	Abuse: PO Kevin Martin stopped the car in which § 87(2)(b) was an occupant.	
B.POM Christophe Vaccaro	Abuse: PO Christopher Vaccaro stopped the car in which § 87(2)(b) was an occupant.	
C.POM Kevin Martin	Abuse: PO Kevin Martin searched the car in which § 87(2)(b) was an occupant.	
D.POM Kevin Martin	Abuse: PO Kevin Martin searched § 87(2)(b)	

Case Summary

On February 6, 2012, § 87(2)(b) filed the following complaint via phone with the Civilian Complaint Review Board (CCRB). On February 10, 2012, § 87(2)(b) was contacted by phone and provided additional information regarding her complaint. The details of her complaint are noted below.

On February 6, 2012 at approximately 1:30PM, § 87(2)(b) was preparing to make a left turn when she was pulled over by PO Kevin Martin and PO Christopher Vaccaro of the 46th Precinct in an unmarked car at University Avenue and Brandt Place in the Bronx (**Allegations A and B**). PO Vaccaro instructed her to exit her car and asked § 87(2)(b) questions about whether she lived in the area and had kids (within **Allegation B**). While § 87(2)(b) was interacting with PO Vaccaro, PO Martin allegedly entered § 87(2)(b)'s vehicle and searched through her bags in the front and back seats (**Allegation C**). PO Martin then walked to § 87(2)(b) and, without saying anything, allegedly put his hands inside her jacket and patted down her sleeves (**Allegation D**). No summons was issued or arrest made as a result of this incident. § 87(2)(b) identified PO Martin by name and PO Vaccaro by the first letter of his last name. A Complaint Tracking System search showed that PO Vaccaro is one of five male officers at the 46th Precinct with a last name that begins with the letter "V." A check of the 46th Precinct Tour 2 ARCS Roll Call on February 6, 2012 confirmed that PO Vaccaro was partnered with PO Martin. Therefore, Allegations A, C, and D are pleaded against PO Martin and Allegation B is pleaded against PO Vaccaro.

On February 10, 2012, both the mediation and investigation processes were presented to § 87(2)(b). § 87(2)(b) requested additional time to consult with her lawyer before coming to a decision. § 87(2)(b) resides in Maryland and was contemplating filing a lawsuit. Between February 15, 2012 and March 9, 2012, five calls were placed to and five messages left on § 87(2)(b)'s phone requesting a callback with negative results. On February 22, 2012 and March 5, 2012, two please call letters were mailed and e-mailed to § 87(2)(b). Neither letter has been returned to the CCRB marked "return to sender"; neither email has been returned to the CCRB as "message undeliverable." A check of the New York City Department of Correction on March 9, 2012 showed that § 87(2)(b) is not presently incarcerated. As of March 9, 2012, § 87(2)(b) has made no attempt to contact the CCRB. Although the subject officers are identified, because § 87(2)(b) does not reside in New York and did not commit to mediation, this case has not been referred to the ADR unit. § 87(2)(g)

Team: _____

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Investigator: _____
Signature _____ Print _____ Date _____

Supervisor: _____
Title/Signature _____ Print _____ Date _____

Reviewer: _____
Title/Signature _____ Print _____ Date _____

Reviewer: _____
Title/Signature _____ Print _____ Date _____